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If you choose not to pay the fee due when you file your return, you can make an e-check payment by itself in a separate call later. However, your payment must be made by the due date to avoid penalty and interest charges.

Credit Card

To pay your fee liability by credit card, call 1-800-2PAYTAX, toll-free or go to www.officialpayments.com after you have completed your telephone filing and received a Confirmation Number. There is a convenience fee of 2.5% of your liability paid directly to Official Payments Corporation.

Electronic Funds Transfer (EFT)

Taxpayers with a prior year liability of \$10,000 or more in any tax are required to make their payments for all taxes by EFT. Other taxpayers may voluntarily submit payments by EFT with the approval of the Division of Revenue. EFT payments are separate transactions made outside the Business Paperless Telefiling System. ACH Credit Option EFT payers use Tax Type Code "09010," Addendum A record format, when paying the motor vehicle tire fee. For more information on the EFT Program, call 609-984-9830, write to New Jersey Division of Revenue, EFT Unit, PO Box 191, Trenton, NJ 08646-0191 or visit the Division of Revenue's Web site at www.state.nj.us/treasury/revenue/.

Penalties, Interest, and Fees

Failure to file a return by the due date and/or failure to remit any fees due by the due date will result in penalty and interest charges. Anyone required to collect the motor vehicle tire fee does so as a trustee on behalf of the State of New Jersey. Thus, business owners, partners, corporate officers, and some employees of such businesses may be held personally liable for failure to collect the fee when required or for failure to file returns and remit any fees due on a timely basis.

Late Filing Penalties

5% per month (or fraction thereof) of the balance of fee liability due at original return due date not to exceed 25% of such fee liability. A penalty of \$100 per month (or fraction thereof) for each month the return is late will also be imposed.

Late Payment Penalty

5% of the balance of the fees due and paid late.

Interest

The annual interest rate is 3% above the average predominant prime rate. Interest is imposed each month (or fraction thereof) on the unpaid balance of the fee from the original due date to the date of payment. At the end of each calendar year any fees, penalties, and interest remaining due will become part of the balance on which interest is charged.

NOTE: The average predominant prime rate is the rate as determined by the Board of Governors of the Federal Reserve System, quoted by commercial banks to large businesses on December 1st of the calendar year immediately preceding the calendar year in which the payment was due or as determined by the Director in accordance with N.J.S.A. 54:48-2.

Collection Fees

In addition to the above penalties and interest, if your fee bill is sent to a collection agency, a referral cost recovery fee of 10% of the fee due will be added to your liability. If a certificate of debt is issued for your outstanding liability, a fee for the cost of collection may also be imposed.

General Information

A motor vehicle tire fee of \$1.50 per tire is imposed on each **new** motor vehicle tire sold in New Jersey, including new tires that are component parts of a new or used motor vehicle which is either sold or leased, if the transaction is subject to sales tax pursuant to the New Jersey Sales and Use Tax Act. The fee applies to the spare tire sold as part of a motor vehicle, as well as to sales of new tires in connection with a repair or maintenance service. The fee does not apply to the sale of recapped tires.

For purposes of the motor vehicle tire fee, a "motor vehicle" includes any vehicle propelled otherwise than by muscular power, including trailers and semitrailers, or any other type of vehicle drawn by a motor vehicle, that is designed for use on the public highways, but excepting a vehicle that runs only upon rails or tracks. A "tire" means a continuous covering encircling a wheel for a motor vehicle in which a person or property is or may be transported or which is or may be drawn upon a road or highway.

The accrual method of accounting must be used when reporting the number of tires sold for purposes of the motor vehicle tire fee. Under this method, all new tires sold are reported in the period in which the sale took place, no matter when, or if, payment is actually received from the customer.

Exemptions

Non-Highway Use Vehicles. New tires which are sold for or as a component part of vehicles which are not designed for use on the public highways are not subject to the motor vehicle tire fee. This includes tires for all-terrain vehicles (ATVs) and certain construction vehicles (e.g., backhoes, forklifts).

Exempt-Purchaser Transactions. Sales of new motor vehicle tires to the following purchasers, including tires that are component parts of a motor vehicle which is either sold or leased, are exempt from the fee:

- Agencies and instrumentalities of the United States;
- Agencies, instrumentalities, public corporations or political subdivisions of the State of New Jersey;
- The United Nations or any international organization of which the U.S. is a member;
- Qualified exempt organizations which have been authorized under IRC 501(c)(3) and have been issued an Exempt Organization Certificate (ST-5) from the New Jersey Division of Taxation;
- Volunteer fire companies, rescue, ambulance, first aid or emergency squads;
- Parent-teacher associations;
- Veteran's organizations;
- Qualified diplomatic or consular personnel.

Exempt-Vehicle Transactions. Sales or leases of the following motor vehicles, including the sale of replacement tires* for such vehicles, are not subject to the motor vehicle tire fee:

- Buses for public passenger transportation, to bus companies whose rates are regulated by the ICC or the Department of Transportation, or to carriers engaged in the transportation of children to or from school;

- Commercial trucks, tractors, semitrailers, and vehicles used in combination, which have a gross vehicle weight rating in excess of 26,000 pounds or are operated exclusively for the carriage of interstate freight or are registered as a farm vehicle under N.J.S.A. 39:3-24 or 25;
- Qualified zero emission vehicles (ZEVs), as certified by the New Jersey Department of Environmental Protection;
 - * The sales tax exemption for ZEVs does not include replacement tires; therefore, new replacement tires for a ZEV are subject to both sales tax and the motor vehicle tire fee.
- Limousines sold to licensed limousine services.

For motor vehicle tire fee purposes, these exempt-vehicle transactions must be documented with the Exempt Use Certificate (Form ST-4).

Rental Transactions. The motor vehicle tire fee is imposed on sales and leases of motor vehicles, but not on rental trans-

actions, which are defined as agreements for the possession or control of property for a period of 28 days or less.

Nonresident Transactions. The sale or lease of a motor vehicle to a nonresident of New Jersey is not subject to New Jersey sales tax; therefore, such transactions are not subject to the motor vehicle tire fee.

For motor vehicle tire fee purposes, these exempt nonresident transactions must be documented with the Motor Vehicle Sales and Use Tax Exemption Report (Form ST-10).

Out-of-State Transactions. If a New Jersey customer (a New Jersey resident or purchaser engaged in carrying on any employment, trade, business, or profession in New Jersey in which the new tires or motor vehicle will be used) takes delivery of new tires or a motor vehicle outside of New Jersey, the transaction is not subject to the motor vehicle tire fee. (There is no specific exemption form for these out-of-state transactions.)

Instructions for Telefile Worksheet

Identification

New Jersey Taxpayer Identification Number. Enter your 12-digit New Jersey Taxpayer Identification Number. If your ID number begins with the letters "NJ," enter "6," "5," and the remaining 10 digits. (NOTE: If you do not enter your ID number correctly, you will not be able to file.)

PIN/Business Name. Enter your 4-digit PIN (Personal Identification Number) or the first four characters of your registered taxpayer name. If you are entering your registered taxpayer name, use only letters and numbers. Omit symbols and spaces. (NOTE: If you do not enter your PIN or the first four characters of your taxpayer name correctly, you will not be able to file.)

Contact Phone Number. Enter the area code and phone number of a contact person for your business.

Tax Preparer's Identification Number. If the return is being filed by a tax preparer, enter the preparer's 9-digit Federal identification number or social security number. This information will be requested during the signature portion of the phone call.

Return Period

Quarter: Enter the number that reflects the calendar quarter covered by the return:

- 1 – January, February, March
- 2 – April, May, June
- 3 – July, August, September
- 4 – October, November, December

Year: Enter the year in which the quarter you are reporting fell.

Example: If you are filing a return for the third quarter of 2004, enter "3" for the quarter and "2004" for the year.

Return Information

Line 1 – Total Number of New Tires Sold During the Quarter. Enter on Line 1 the total number of new tires sold from all transactions, including exempt transactions, which occurred during the three-month reporting period covered by the return. If you had no new tire sales for the quarter, enter "0."

Line 2 – Number of Tires Sold During the Quarter Which are Exempt From the Fee. Enter on Line 2 the number of all sales included on Line 1 which are not subject to the motor vehicle tire fee under New Jersey law. See "Exemptions" on page 2 for more information. If you sold no exempt tires for the quarter, enter "0."

Line 3 – Number of Tires Sold During the Quarter Which are Subject to the Fee. The system will calculate the number of new tires sold which are subject to the fee and provide the number to you. Enter the number stated on Line 3.

Line 4 – Total Motor Vehicle Tire Fee Due. The system will calculate the total fee due and provide the amount to you. Enter the amount stated on Line 4.

Line 5 – Penalty and Interest. Compute any penalty and interest charges incurred for late payment and/or late filing for the quarter and enter the amount on Line 5. If you are unable to determine this amount, enter "0." You will be billed for any penalty or interest due.

Line 6 – Total Amount Due. The system will calculate the total amount due for the quarter and provide the amount to you. Enter the amount stated on Line 6. If you have a balance due, you must pay by e-check, credit card, or EFT. See "How to Pay" on page 1. You are not required to submit your payment on the same date as your telephone call, however, your payment must be made by the due date to avoid penalty and interest charges.

Payment Information

If you wish to pay by e-check, enter on the worksheet the 9-digit bank routing number, the account number (omit hyphens, spaces, symbols, and letters), the type of account, and the date you want the payment to be debited from your account. The earliest payment debit date you may select is the next business day. However, payment transactions initiated by 11:59 p.m. on the due date will be deemed timely even if the settlement date (date payment is debited from the account) is the next business day.

You can also pay by credit card or EFT after you have completed your telephone filing and received a Confirmation Number. See "How to Pay" on page 1.

Signature and Confirmation

Signature. You are required to affirm and sign your return by agreeing to the following statement and then providing a voice signature: "I verify and affirm that all fee information provided during this telephone call is correct. I am aware that if any of the information provided by me is knowingly false, I am subject to punishment." Your return cannot be processed without this affirmation or a signature. Tax preparers filing on behalf of clients will also be required to enter their own tax identification number.

Confirmation Number. After you sign your return, stay on the line until the system assigns you a 7-digit Confirmation Number. This number serves as proof that your return was successfully filed. Enter the number and the date you filed your return in the boxes on the worksheet along with the name of the person who "signed" the return. **Your return is not filed until you receive a Confirmation Number.**

If you make your quarterly payment by e-check in a separate telephone call, you will receive a separate Confirmation Number for the payment transaction.

Your Confirmation Number is your only proof that your return was successfully filed. Enter it on your worksheet, and keep the worksheet for your business files for four years in case of audit. **Do not mail it to the Division of Taxation.**

Amended Returns

If you discover an error after you file your return by phone, file an amended return by phone through the Business Paperless Telefiling System. If the correction results in an overpayment of tax for the quarter, file a Claim for Refund (Form A-3730). To obtain Form A-3730, visit the Division of Taxation Web site or call the Forms Request System. See "Where to Get Information," below.

Where to Get Information

By Phone

Call the Division of Taxation's Customer Service Center at **609-292-6400**. Representatives are available from 8:30 a.m. to 4:30 p.m., Monday through Friday (except holidays).

Online

- Division of Taxation Web site:
www.state.nj.us/treasury/taxation/
- E-mail: **taxation@tax.state.nj.us**

Order Forms and Publications

To obtain copies of the TIR-100 Worksheet and Instructions, as well as other tax forms and publications:

- Call the Forms Request System from a Touch-tone phone at **1-800-323-4400** (within NJ, NY, PA, DE, and MD) or **609-826-4400** (anywhere).
- Call NJ TaxFax at **609-826-4500** from your fax machine's phone.
- Visit the Division of Taxation's Web site:
www.state.nj.us/treasury/taxation/

In Person

Visit a New Jersey Division of Taxation Regional Office. For the address of the office nearest you, call the Automated Tax Information System from a Touch-tone phone at **1-800-323-4400** (within NJ, NY, PA, DE, and MD) or **609-826-4400** (anywhere) or visit our Web site.